

Notice of Allowability

Application No.

09/449,976

Applicant(s)

MAEDA ET AL.

Examiner

Scott Beliveau

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 26 July 2004.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☒ The drawings filed on 26 November 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-3 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The art of record either alone or in combination fails to teach and/or suggest the applicant's claimed invention taken as a whole. Claim 1 is directed towards the ability for a user to enter a mail check command to determine whether email has been received whereupon only the name of the sender and the subject of each message is presented on a small portion of a television screen superimposed over the television picture and is horizontally scrolled for each successive received message. If the e-mail is of interest the user may subsequently enter another command to have a full screen display of the entire message so as to totally obscure the television picture (Remarks: Page 6, Line 28 – Page 7, Line 11).

As to the art of record, the particular notification as to receipt of an email message comprising only the sender and the subject is known in the art. The retrieval of email in response to a keyboard command is known in the art. Similarly, providing a full-screen display of an email message which is retrieved from memory is likewise known in the art. However, the art of record fails to teach or suggest the invention taken as a whole. For example, the combined Bellamy and Foldare et al. references provide for the ability to superimpose on a television picture the receipt of a television message, however, such is not performed responsive to the user entering a command so as to check the availability of mail. Bellamy further suggests the usage of a real-time information banner which as is commonly

known in the art can employ horizontal scrolling messages. The Bellamy reference, however, teaches that the notification is provided in order to avoid the user having to repeatedly accessing email messages. Accordingly, the combination of Bellamy and Foldare et al. teaches away from the claimed limitations pertaining to the manual actuation of checking for email.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- The Narayan et al. (US Pat No. 6,859,937) discloses a system and method for accessing and display of email messages.
- The Grooters et al. (US Pub No. 2004/0103167) reference discloses a system for providing the user with a notification of incoming email messages.
- The Perlman et al. (US Pat No. 5,896,444) reference discloses a system and method for utilizing a keyboard and downloading email into random access memory (RAM) whereupon the user is alerted as to the receipt of email through an on-screen overlay.

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- The Kikinis (US Pat No. 6,483,905) reference discloses an electronic mail answering machine which enables for the user to access messages displayed on the television.
- The Macrae et al. (US Pub No. 2004/0103439) reference discloses a television system which notifies the user as to the availability of email messages for display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343.

The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

SEB
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